

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

LD-VC- CIVIL WRIT PETITION NO. 996 OF 2020

Ramanand S/o Mannulal Adame, Ramtek, Nagpur

-vs-

The State of Maharashtra, Through its Secretary, Urban Development Department, Mantralaya,
Mumbai-32 and others.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri P.J. Mehta, Advocate for petitioner.

Shri N. B. Jawade, Assistant Government Pleader for respondent
Nos.1 and 2.

Shri A. S. Tiwari, Advocate for respondent No.4.

**CORAM : DIPANKAR DATTA, C.J. AND
A. S. CHANDURKAR, J.**

DATE : AUGUST 27, 2020

P.C.

Hearing was conducted through Video Conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. The petitioner, by filing an appeal under Section 44(4) of Maharashtra Municipal Councils, Nagar Panchayats and Industrial Township Act, 1965 on 17/03/2020 has laid a challenge to an order of disqualification dated 04/03/2020. His grievance is that such appeal is yet to be registered for consideration and disposal. A direction is sought for on the Appellate Authority to register, consider, hear and dispose of the appeal within such time as may be fixed by the Court.

3. The respondent Nos.1 and 2 are represented by learned Assistant Government Pleader Shri N. B. Jawade whereas Shri A. S. Tiwari, learned Advocate appears on behalf of the respondent No.4, being the applicant in whose favour the order dated 04/03/2020 has been passed.

4. We have been informed that the appeal can be registered, considered and disposed of within a month from the date of receipt of a copy of this order by the Appellate Authority, being the Secretary, Urban Development Department.

5. Since the principal contesting respondents are before us, we find no reason to keep this writ petition pending. The same stands disposed of with a direction to the Appellate Authority to register the petitioner's appeal and thereafter proceed for consideration and disposal thereof in the manner required by the relevant statutory provisions. Due notice shall be served on the petitioner as well as the respondent No.4 well in advance of the date of hearing fixed for the purpose. The Appellate Authority shall make sincere endeavour to dispose of the appeal as expeditiously as possible within a month of receipt of this order but in any event within eight weeks of such receipt.

5. We express no opinion on the merits of the petitioner's claim and leave the parties to raise all points before the Appellate Authority for its decision in accordance

with law.

6. No costs.

This order be communicated to the counsel appearing for the parties, either on the email address or on WhatsApp or by such other mode, as is permissible in law.

JUDGE

CHIEF JUSTICE